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10 TESLA, INC. and ELON MUSK

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

13 ALCON ENTERTAINMENT, LLC
14 a Delaware Limited Liability
15 Company,

16 Plaintiff,

17 v.

18 TESLA, INC., a Texas Corporation;
19 ELON MUSK, an individual;
20 WARNER BROS. DISCOVERY,
21 INC., a Delaware Corporation,

22 Defendants.

CASE NO. 2:24-CV-09033-GW-RAO

**JOINT STIPULATION REGARDING
(1) ACCEPTANCE OF SERVICE ON
BEHALF OF DEFENDANT ELON
MUSK WITH AN AGREED
RESPONSE DATE OF FEBRUARY 4,
2025 AND (2) SECOND EXTENSION
OF TIME FOR DEFENDANTS TESLA,
INC. AND WARNER BROS.
DISCOVERY, INC. TO RESPOND TO
INITIAL COMPLAINT TO
FEBRUARY 4, 2025**

Action Filed: October 21, 2024
Complaint Served: October 24, 2024
Current Resp. Date For Defendants Tesla,
Inc. and Warner Bros. Discovery, Inc.:
December 13, 2024
Proposed New Response Date for All
Defendants: February 4, 2025

JOINT STIPULATION

Pursuant to Local Rules 7-1 and 8-3, Defendants Tesla, Inc. (“Tesla”), Elon Musk, and Warner Bros. Discovery, Inc. (“WBD”) (collectively “Defendants”) and Plaintiff Alcon Entertainment, LLC (“Plaintiff”), by and through their respective attorneys, submit this joint stipulation for approval by the Court.

WHEREAS Plaintiff filed its initial Complaint against Defendants on October 21, 2024;

WHEREAS Plaintiff caused Defendants Tesla and WBD to be served with the Summons, Complaint, and related initial service documents on October 24, 2024;

WHEREAS based on the above service date, Defendants Tesla and WBD were due to respond to the Complaint on or before November 14, 2024;

WHEREAS on November 12, 2024, pursuant to Local Rule 8-3, Plaintiff and Defendants Tesla and WBD stipulated to extend the date to respond to the Complaint to December 13, 2024 (ECF Nos. 13 and 14);

WHEREAS Defendant Elon Musk is the Chief Executive Officer of Defendant Tesla;

WHEREAS as of the date of this Joint Stipulation, Plaintiff represents that it has been diligent in pursuing a dual track of attempting to serve Defendant Elon Musk while also communicating with the undersigned counsel for Tesla about Defendant Elon Musk accepting service by pre-agreed arrangement or waiving service, and Defendants do not dispute said representations by Plaintiff;

WHEREAS as of the date of this Joint Stipulation, Plaintiff and Defendants agree that Plaintiff has not yet effected service on Defendant Elon Musk with the Summons, Complaint, and related initial service documents;

WHEREAS counsel for Defendant Tesla has represented to Plaintiff that Defendant Elon Musk has substantial commitments that would make it difficult to

1 put an appropriate level of attention to this matter until early February 2025 and
2 Plaintiff does not dispute that such may be the case;

3 WHEREAS if Plaintiff mailed Defendant Elon Musk a request for waiver of
4 service of the summons and complaint today and Defendant Elon Musk
5 subsequently agreed to said waiver, Defendant Elon Musk's date to respond to the
6 Complaint would be January 27, 2025;

7 WHEREAS a response date for Defendant Elon Musk of February 4, 2025
8 would only be an additional 8 days beyond the above said date if the parties used the
9 formal waiver of service of process method;

10 WHEREAS Plaintiff and Defendants all agree that resolution of this matter is
11 likely to proceed overall more quickly and with higher efficiency if Plaintiff and
12 Defendant Elon Musk come to an agreement on his service and also if all
13 Defendants have a unified response date to the Complaint;

14 WHEREAS Defendant Elon Musk time to respond to the Complaint is not yet
15 running and he has not had any prior extensions of time to respond to the
16 Complaint;

17 WHEREAS this is the second extension of time for Defendants Tesla and
18 WBD to respond to the Complaint; and


19 WHEREAS Plaintiff and Defendants wish to complete service on Defendant
20 Elon Musk and also to agree to a unified date to respond to the Complaint for all
21 Defendants;

22 For all the above reasons, Plaintiff and Defendants hereby stipulate and agree,
23 and seek this Court's approval, and respectfully submit that there is good cause for
24 the Court to enter an order, as follows:


25 1. Subject to the Court entering an order approving this stipulation,
26 Defendant Tesla agrees to accept service on behalf of Defendant Elon
27 Musk by email delivery from Plaintiff's counsel to Tesla's counsel of
28 the Summons, Complaint and related initial service documents.

2. Following Plaintiff effecting above said service, Plaintiff shall file a proof of service of the above documents on Defendant Elon Musk.
3. Defendant Elon Musk shall have until **February 4, 2025** to respond to the Complaint;
4. Defendants Tesla's and WBD's time to respond to the Complaint shall be extended to **February 4, 2025**.
5. All other rights and positions as between Plaintiff and Defendants are respectfully reserved.

DATED: November 26, 2024 TESLA, INC.

By 
Attorneys for Defendant
TESLA, INC.

DATED: November 26, 2024 ELON MUSK

By 
Attorneys for Defendant
ELON MUSK

1 DATED: November __, 2024 WARNER BROS. DISCOVERY, INC.

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By 

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Attorneys for Defendant

WARNER BROS. DISCOVERY, INC.

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6 DATED: November 26, 2024 ANDERSON YEH PC

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Edward M. Anderson

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Regina Yeh

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By 

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Attorneys for Plaintiff

ALCON ENTERTAINMENT, LLC

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